



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/630,319	07/31/2000	Arthur M. Krieg	C1039/7042	5464

7590 12/02/2002

Helen C Lockhart
Wolf Greenfield & Sacks P C
600 Atlantic Avenue
Boston, MA 02210

EXAMINER

ZARA, JANE J

ART UNIT	PAPER NUMBER
----------	--------------

1635

DATE MAILED: 12/02/2002

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

┌

└

EXAMINER

ART UNIT	PAPER NUMBER
----------	--------------

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Please see attached

Application/Control Number: 09/630.319

Page 2

Art Unit: 1635

Sequence Compliance

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

Please see accompanying error report.

Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the mailing date of this letter within which to comply with the sequence rules, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the reply.

Art Unit: 1635

Conclusion

Certain papers related to this application may be submitted to Art Unit 1635 by facsimile transmission. The faxing of such papers must conform with the notices published in the Official Gazette, 1156 OG 61 (November 16, 1993) and 1157 OG 94 (December 28, 1993) (see 37 C.F.R. § 1.6(d)). The official fax telephone numbers for the Group are (703) 308-4242 and (703) 305-3014. NOTE: If Applicant *does* submit a paper by fax, the original signed copy should be retained by applicant or applicant's representative. NO DUPLICATE COPIES SHOULD BE SUBMITTED so as to avoid the processing of duplicate papers in the Office.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Jane Zara** whose telephone number is **(703) 306-5820**. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John LeGuyader, can be reached on (703) 308-0447. Any inquiry regarding this application should be directed to the patent analyst, Katrina Turner, whose telephone number is (703) 305-3413. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.

JZ

Karen A. Jacono
KA IERE
NER

November 18, 2002

File

Application No.: 09/1634319

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: Please See accompanying error report

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support (SIRA)

Technical Assistance.....703-287-0200

To Purchase PatentIn Software.....703-306-2600

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE

RECEIVED

Page 1 of 3

OCT 22 2002

TECH CENTER 1600/2900



1600

RAW SEQUENCE LISTING

DATE: 10/10/2002

PATENT APPLICATION: US/09/630,319B

TIME: 15:08:29

Input Set : A:\C01039-70042 (HCL-JAV).txt

Output Set: N:\CRF4\10102002\I630319B.raw

Does Not Comply
Corrected Diskette Needed

3 <110> APPLICANT: Krieg, Arthur M.
4 Klinman, Dennis
5 Steinberg, Alfred D.
7 <120> TITLE OF INVENTION: Methods for Treating and Preventing
8 Infectious Disease
10 <130> FILE REFERENCE: C01039/70042(HCL/JAV)
C-12 <140> CURRENT APPLICATION NUMBER: US/09/630,319B
C-12 <141> CURRENT FILING DATE: 2000-07-31
12 <150> PRIOR APPLICATION NUMBER: US 08/960,774
13 <151> PRIOR FILING DATE: 1997-10-30
15 <150> PRIOR APPLICATION NUMBER: US 08/738,652
16 <151> PRIOR FILING DATE: 1996-10-30
18 <150> PRIOR APPLICATION NUMBER: US 08/386,063
19 <151> PRIOR FILING DATE: 1995-02-07
21 <150> PRIOR APPLICATION NUMBER: US 08/276,358
22 <151> PRIOR FILING DATE: 1994-07-15
24 <160> NUMBER OF SEQ ID NOS: 124
26 <170> SOFTWARE: FastSEQ for Windows Version 3.0

ERRORED SEQUENCES

512 <210> SEQ ID NO: 41
513 <211> LENGTH: 19 20 shown
514 <212> TYPE: DNA
515 <213> ORGANISM: Artificial Sequence
517 <220> FEATURE:
518 <223> OTHER INFORMATION: Synthetic Oligonucleotide
520 <400> SEQUENCE: 41
E--> 521 ggggtcagtc ttgagggggg

20

105
has been detected in the sequence listing.
The listing must be corrected and resubmitted.
The listing must be corrected in the <210> to <223> fields of
each sequence listing.

VERIFICATION SUMMARY

DATE: 10/10/2002

PATENT APPLICATION: US/09/630,319B

TIME: 15:08:30

Input Set : A:\C01039-70042 (HCL-JAV).txt

Output Set: N:\CRF4\10102002\I630319B.raw

L:12 M:270 C: Current Application Number differs, Replaced Current Application No
L:12 M:271 C: Current Filing Date differs, Replaced Current Filing Date
L:168 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order!
L:172 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:13
L:173 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:13 after pos.:0
L:183 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order!
L:187 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:14
L:188 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:14 after pos.:0
L:209 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order!
L:213 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:16
L:217 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:16
L:221 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:16
L:222 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:16 after pos.:0
L:232 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order!
L:236 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:17
L:237 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:17 after pos.:0
L:247 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order!
L:251 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:18
L:252 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:18 after pos.:0
L:317 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order!
L:321 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:24
L:322 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:24 after pos.:0
L:332 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order!
L:336 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:25
L:337 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:25 after pos.:0
L:391 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order!
L:395 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:30
L:396 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:30 after pos.:0
L:406 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order!
L:410 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:31
L:411 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:31 after pos.:0
L:521 M:252 E: No. of Seq. differs, <211> LENGTH:Input:19 Found:20 SEQ:41
L:542 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order!
L:546 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:43
L:547 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:43 after pos.:0
L:557 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order!
L:561 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:44
L:562 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:44 after pos.:0
L:1353 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order!
L:1357 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:116
L:1358 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:116 after pos.:0
L:1368 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order!
L:1372 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:117
L:1373 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:117 after pos.:0
L:1427 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order!
L:1431 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:122
L:1435 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:122
L:1436 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:122 after pos.:0